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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

HERMÈS INTERNATIONAL, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION FRANCE, a corporation organized under the laws of France, HERMÈS SELLIER, a corporation organized under the laws of France, HERMÈS OF PARIS, INC., a corporation organized under the laws of New York

CASE NO. CV-06-3605(LDW)

**STIPULATION OF DISMISSAL OF  
COUNTERCLAIMS WITH  
PREJUDICE**

Plaintiffs,

vs.

WALTER KIERNAN, individually,  
SERAFINA KIERNAN, individually,  
WALTER KIERNAN AND SERAFINA  
KIERNAN D/B/A  
WWW.IMPURSENAOTOR.COM D/B/A  
IMPURSENAOTOR HANDBAGS, DINESE  
KESTLY A/K/A DENISE KENSLEY,  
A/K/A DINESE KENSELY, individually and  
DINESE KESTLY A/K/A DENISE  
KENSLEY A/K/A DINESE KENSELY  
D/B/A WWW.ORIENTSOURCING.COM  
D/B/A SACKS IN THE CITY and  
PURSESPECTIVES, LLC various JOHN and  
JANE DOES 2-10 and XYZ COMPANIES 2-  
10 (UNIDENTIFIED),

Defendants.

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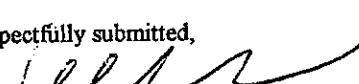
631-587-6307

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**STIPULATION OF DISMISSAL OF COUNTERCLAIMS WITH PREJUDICE**

Defendants WALTER KIERNAN, individually, SERAFINA KIERNAN, individually, WALTER KIERNAN AND SERAFINA KIERNAN D/B/A WWW.IMPURSENATOR.COM D/B/A IMPURSENATOR HANDBAGS ("Defendants") hereby enter into this stipulation dismissing their Counterclaims in this case pursuant to Fed. R. Civ. P. 41(a)(1)(ii). The dismissal is with prejudice, and includes dismissal of the claims of Defendants against HERMÈS INTERNATIONAL, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION FRANCE, a corporation organized under the laws of France, HERMÈS SELLIER, a corporation organized under the laws of France, HERMÈS OF PARIS, INC., a corporation organized under the laws of New York, and all agents, attorneys and employees of such entities (collectively "Plaintiffs"). A form of order dismissing the case is attached as Exhibit A.

Dated: September 24 2006 Respectfully submitted,

By:   
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Serafina Kiernan, Individually,  
Walter Kiernan and Serafina Kiernan  
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Dated: September 25, 2006

Respectfully submitted,

By: 

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*Admitted Pro Hac Vice*

*Attorneys for Plaintiffs Hermès  
International, Hermès  
International Corporation,  
Hermès International  
Corporation France, Hermès  
Sellier and Hermès of Paris, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing instrument was served upon the counsel of record set forth below in accordance with Rule 5, Federal Rules of Civil Procedure and the Court's Local Rules 5.3 and 6.1:

Eliot Bloom  
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Impursenator Handbags*

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Dinese Kestly a/k/a Denise Kensley  
a/k/a Dinese Kensely, individually, and  
Dinese Kestly a/k/a Denise Kensley a/k/a  
Dinese Kensely d/b/a  
www.orientsourcing.com d/b/a Sacks In the  
City and XYZ Corporation identified as  
Purspectives, LLC.*



\_\_\_\_\_  
Scott Gelin

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

HERMÈS INTERNATIONAL, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION FRANCE, a corporation organized under the laws of France, HERMÈS SELLIER, a corporation organized under the laws of France, HERMÈS OF PARIS, INC., a corporation organized under the laws of New York

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vs.

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WALTER KIERNAN AND SERAFINA  
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WWW.IMPURSENAOTOR.COM D/B/A  
IMPURSENAOTOR HANDBAGS, DINESE  
KESTLY A/K/A DENISE KENSLEY,  
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DINESE KESTLY A/K/A DENISE  
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D/B/A WWW.ORIENTSOURCING.COM  
D/B/A SACKS IN THE CITY and  
PURSEPECTIVES, LLC various JOHN and  
JANE DOES 2-10 and XYZ COMPANIES 2-  
10 (UNIDENTIFIED),

Defendants.

**ORDER DISMISSING COUNTERCLAIMS WITH PREJUDICE**

The Court having been advised that that the parties entered into a Stipulation of Dismissal of Counterclaims with Prejudice,

IT IS THEREFORE ORDERED, that all counterclaims by WALTER KIERNAN, individually, SERAFINA KIERNAN, individually, WALTER KIERNAN AND SERAFINA KIERNAN D/B/A WWW.IMPURSENATOR.COM D/B/A ("Defendants") against HERMÈS INTERNATIONAL, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION, a corporation organized under the laws of France, HERMÈS INTERNATIONAL CORPORATION FRANCE, a corporation organized under the laws of France, HERMÈS SELLIER, a corporation organized under the laws of France, HERMÈS OF PARIS, INC., a corporation organized under the laws of New York, and all agents, attorneys and employees of such entities (collectively "Plaintiffs") are hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(ii).

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HONORABLE JUDGE LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE